



CTIA

Building the Wireless Future
Cellular Telecommunications Industry Association

December 16, 1998

Chairman William E. Kennard
Federal Communications Commission
1919 M Street, N.W. 8th Floor
Washington, D.C. 20554

Re: **WT Docket No. 97-207**
Calling Party Pays

RECEIVED

DEC 16 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Chairman Kennard:

One year ago today, the Cellular Telecommunications Industry Association ("CTIA") filed its Comments urging the Commission to act on Calling Party Pays ("CPP") as an option for Commercial Mobile Radio Services. As part of that filing, CTIA attached a service description for CPP. Since that time, Commission activity regarding CPP has been stalled. Some attribute this slow-down to the false perception that the wireless industry lacks consensus regarding its support of CTIA's Calling Party Pays initiative. The purpose of this letter -- signed by the leaders of the principal providers of wireless service -- is to reaffirm the wireless industry's commitment to CPP as a service option. The CMRS marketplace is highly competitive, and the availability of CPP would heighten CMRS competition, as well as expand wireless competition into other markets.

CTIA's proposal to make CPP an option for wireless carriers is straightforward and relatively modest in scope. CTIA has asked that the Commission: (1) adopt a uniform national approach to advising consumers that they are making a CPP call to a CMRS customer; and (2) establish guidelines that allow CMRS carriers to tariff CPP service at the federal level, and thereby establish the means to establish rates and service terms in order to apply CPP charges to any caller with whom there is no pre-existing business relationship, much like the so-called "dial around" long distance services. CTIA is not asking the FCC to regulate billing and collection.



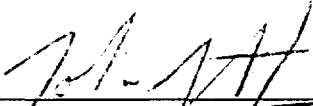
Chairman Kennard
December 16, 1998
Page Two

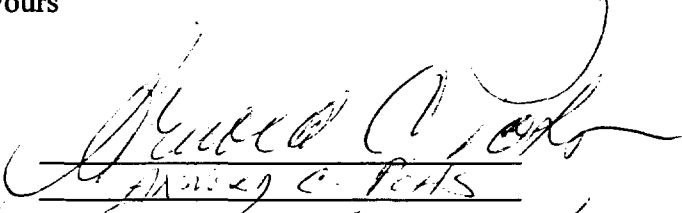
The nature of CMRS services is characterized by mobile customers and service areas which typically cross state boundaries. Multiple, and potentially inconsistent, state and local regulations would make CPP service offerings confusing to the public, and burdensome, if not impossible for wireless carriers to provide. Therefore, there must be a uniform national approach to providing consumers the information they need to recognize and complete a CPP call to a CMRS customer.

Additionally, the Commission should exercise its Title II authority to permit carriers wishing to offer CPP to: (1) file CPP tariffs under Section 203, (2) file informational CPP contracts under Section 211, or (3) file periodic CPP informational reports under Section 219. The information provided in these filings would make CPP services available for public inspection and ensure customer notification of key terms, including obligations to pay for charges incurred and limitations on carrier liability. The Commission currently allows such filings for nondominant interexchange carriers, including those offering 1+ dial-around services. Interexchange 1+ dial-around services are directly analogous to CPP in that it is likely that the calling party will have no pre-existing relationship with the billing carrier. As is true for similar services, CPP tariff or informational filings should not be subject to prior Commission approval or review, should be presumed lawful, and should not require the filing of any supporting cost data.

The wireless industry, as illustrated by the signatures to this letter, believes that the CPP option should be available to CMRS subscribers as a service option. In every docket before the Commission, carriers may disagree as to the exact details of any course of agency action. However, the undersigned CMRS carriers agree that the FCC must adopt the steps CTIA has outlined for Calling Party Pays to be effective. If, as many believe, CPP will enhance the competitiveness of the CMRS marketplace, it will be a great benefit to the public. On the other hand, if CPP does not catch on in the United States as it has throughout the rest of the world, there will be no harm from the Commission's action of having allowed CMRS carriers the opportunity to offer this service to their customers. Therefore, CTIA and its Board urge the Commission to act quickly to adopt CTIA's proposal, and to permit CMRS carriers to provide Calling Party Pays service across the nation on a uniform basis.

Very truly yours


John W. Stanton
Western Wireless


James C. Fells
Cingular Wireless Inc.

Thomas F. Strickland

THOMAS F. STRICKLAND
BELL ATLANTIC PHONE

CC Townsend

CC TOWNSEND

Hawaiian Wireless

Dennis E. Foster

DENNIS E. FOSTER
Airtel Corporation

David Cole

DAVID COLE, CENTURYTEL

John Flynn

JOHN FLYNN
AMERICAN CELLULAR CORPORATION

Patrick D. Riccio

Cellcom

Robert F. Broz

ROBERT F. BROZ
RFB CELLULAR, INC.

Ellard Garrett E. Clarke Garrett

Liberty Cellular, Inc. (Kansas)

James A. Dwyer

JAMES A. DWYER
WIRELESS ONE NETWORK

William Wierberg
LUCENT TECHNOLOGIES

Robert W. Shaver

ROBERT W. SHAVER
PACIFIC BELL WIRELESS

Terry A. Livingston - First Cellular of Southern Illinois

Michael Agley

MICHAEL AGLEY
UNION WIRELESS

Lowell C. McAdam

LOWELL C. MCADAM

PRIME CO. RESIDENT COMMUNICATIONS

Daniel R. Hesse

DANIEL R. HESSE
AT&T Wireless Services

Brian Koway

BRIAN KOWAY
AIRTOUCH COMMUNICATIONS

JP Wilsey

JP WILSEY
WORTH MEDIA FIRM

Victor H. Meek

VICTOR H. MEEK
Cellular South

Armas Sekis

ARMAS SEKIS, HUGHES NETWORK SYSTEMS

Thomas N. Morgan

THOMAS N. MORGAN, mobiletel

RJ Grap (RJ GRAP)

CENTENNIAL CELLULAR

Kevin J. Kelley (Kevin J. Kelley)

QUALCOMM Incorporated

Robert Piper

ROBERT PIPER (ROBERT PIPER)

US LINCOLN

Jackie N. D.

JACKIE N. D.
Howard Cellular

Frank Wajale

FRANK WAJALE
Motorola

Bob Dimes (BOB DIMES)

ENCLISON

Chairman Kennard
December 16, 1998
Page Four

D. H. H.

Daniel H. Watson
Comcast Cellular, Inc.

M. J. Deid MATTHEW J. DESCH
NORTEL NETWORKS

Andrew Sukawaty

Andrew Sukawaty
Sprint PCS

Haynes G. Griffin
HAYNES G. GRIFFIN
VANGUARD CELLULAR

Richard Ekstrand
RICHARD EKSTRAND
RURAL CELLULAR CORP.

Stan Sign
SBC WIRELESS

H. Dennis Nelson

H. Dennis Nelson
UNITED STATES CELLULAR